

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

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Middle District of Florida

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United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

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Northern District of Indiana

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

July 16, 2003

Molly McGinley Han, Esq.
Cohen, Milstein, Hausfeld & Toll, PLLC
1100 New York Avenue, N.W.
West Tower, Suite 500
Washington, DC 20005

Re: MDL-1456 -- In re Pharmaceutical Industry Average Wholesale Price Litigation

State of West Virginia, et al. v. Warrick Pharmaceuticals Corp., et al., S.D. West Virginia, C.A. No. 2:03-494

Motion and Brief Due on or before: July 30, 2003

Dear Ms. McGinley Han:

We have received and filed your Notice of Opposition to the proposed transfer of the referenced action for coordinated or consolidated pretrial proceedings. In accordance with Rule 7.4(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), the conditional transfer order is stayed until further order of the Panel. You must adhere to the following filing requirements:

- 1) Pursuant to Panel Rules 5.12(a), 5.13 and 7.4(d), **an original and eleven copies of your Motion and Brief to Vacate the Conditional Transfer Order, as well as a computer readable disk of the pleading in WordPerfect for Windows format, must be received in the Panel offices by the due date listed above. Fax transmission of your motion and brief will not be accepted. See Panel Rule 5.12(d). Counsel filing oppositions in more than one action are encouraged to consider filing a single motion and brief with an attached schedule of actions.**
- 2) **Papers must be served on the enclosed Panel Service List. Please attach a copy of this list to your certificate of service. (Counsel who have subsequently made appearances in your action should be added to your certificate of service).**
- 3) **Rule 5.3 corporate disclosure statements are due within eleven days of the filing of the motion to vacate.**
- 4) **Failure to file and serve the required motion and brief within the allotted fifteen days will be considered a withdrawal of the opposition and the stay of the conditional transfer order will be lifted.**

Any recent official change in the status of a referenced action should be brought to the attention of the clerk's office as soon as possible by facsimile at (202) 502-2888. Your cooperation would be appreciated.

Very truly,

Michael J. Beck
Clerk of the Panel

By 
Deputy Clerk

Enclosure

cc: Panel Service List
Transferee Judge: Judge Patti B. Saris
Transferor Judge: Judge Charles H. Haden II

PANEL SERVICE LIST (Excerpted from CTO-13)
DOCKET NO. 1456
IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE
LITIGATION

State of West Virginia, et al. v. Warrick Pharmaceuticals Corp., et al.,
S.D. West Virginia, C.A. No. 2:03-494

William A. Escobar
Kelley, Drye & Warren, L.L.P.
101 Park Avenue
New York, NY 10178

Stephen P. Goodwin
Goodwin & Goodwin
P.O. Box 2107
Charleston, WV 25328-2107

Molly McGinley Han
Cohen, Milstein, Hausfeld & Toll, PLLC
1100 New York Avenue, N.W.
West Tower, Suite 500
Washington, DC 20005

Richard Neely
Neely & Hunter
159 Summers Street
Charleston, WV 25301-2134

Daniel E. Reidy
Jones, Day, Reavis & Pogue
77 West Wacker Drive
Suite 3500
Chicago, IL 60601-1692

John H. Tinney
The Tinney Law Firm, PLLC
P.O. Box 3752
Charleston, WV 25337-3752

Jesse A. Witten
Jones, Day, Reavis & Pogue
51 Louisiana Avenue, N.W.
Washington, DC 20001-2113

Rebecca Bedwell-Coll
Moscone, Emblidge & Quadra, LLP
180 Montgomery Street
Suite 1240
San Francisco, CA 94104

Steve W. Berman
Hagens Berman, LLP
1301 Fifth Avenue
Suite 2900
Seattle, WA 98101

David J. Burman
Perkins Coie, LLP
1201 Third Avenue
Suite 4800
Seattle, WA 98101-3099

Ronald L. Castle
Arent, Fox, Kintner, Plotkin & Kahn
1050 Connecticut Avenue, N.W.
Washington, DC 20036

R. Christopher Cook
Jones, Day, Reavis & Pogue
51 Louisiana Avenue, N.W.
Washington, DC 20001

William Davis
Mintz, Levin, Cohen, Ferris, Glovsky
& Popeo
701 Pennsylvania Avenue, N.W.
Suite 900
Washington, DC 20004

Steven M. Edwards
Hogan & Hartson, LLP
875 Third Avenue
Suite 2600
New York, NY 10022

Rose E. Firestein
Office Of The Attorney General
Assistant Attorney General
Bureau of Consumer Frauds and
Protection
120 Broadway, 3rd Floor
New York, NY 10271

Martin F. Gaynor, III
Cooley, Manion & Jones, LLP
21 Custom House Street
6th Floor
Boston, MA 02110

Kirke M. Hasson
Pillsbury Winthrop, LLP
50 Fremont Street
Post Office Box 7880
San Francisco, CA 94120

Donald E. Haviland, Jr.
Kline & Specter
1525 Locust Street
19th Floor
Philadelphia, PA 19102

S. Craig Holden
Ober, Kaler, Grimes & Shriver
120 East Baltimore Street
Baltimore, MD 21202-1643

Stephen J. Immelt
Hogan & Hartson, LLP
111 S. Calvert Street
Suite 1600
Baltimore, MD 21202

Michael L. Koon
Shook, Hardy & Bacon, LLP
One Kansas City Place
1200 Main Street
26th Floor
Kansas City, MO 64105

Kathleen H. McGuan
Reed Smith, LLP
1301 K Street, N.W.
Suite 1100, East Tower
Washington, DC 20005

Adam D. Miller
Engstrom, Lipscomb & Lack
10100 Santa Monica Blvd.
16th Floor
Los Angeles, CA 90067

Cheryl A. Mitchell
Reed Smith, LLP
599 Lexington Avenue
29th Floor
New York, NY 10022

Gilmur R. Murray
Murray & Howard
436 14th Street
Suite 1413
Oakland, CA 94612

PANEL SERVICE LIST MDL-1456 (Cont.)

Page 2 of 2

Nancy L. Newman
Knapp, Petersen & Clarke
500 North Brand Boulevard
20th Floor
Glendale, CA 91203

Scott A. Stempel
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue, N.W.
Washington, DC 20004

Brien T. O'Connor
Ropes & Gray
One International Place
Boston, MA 02110-2624

Tina M. Tabacchi
Jones, Day, Reavis & Pogue
77 West Wacker Drive
Suite 3500
Chicago, IL 60601

Ethan M. Posner
Covington & Burling
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, DC 20004

Robert B. Teitelman
Attorney General's Office
Environmental Dept.
55 Elm Street
P.O. Box 120
Hartford, CT 06141-0120

Richard D. Raskin
Sidley Austin Brown & Wood
Bank One Plaza
10 South Dearborn Street
Chicago, IL 60603

Robert L. Ullmann
Nutter, McClennen & Fish
World Trade Center West
155 Seaport Boulevard
Boston, MA 02110

Robert D. Sanford
Moscone, Emblidge & Quadra, LLP
180 Montgomery Street
Suite 1240
San Francisco, CA 94104-4238

Michael J. Vanselow
Office of the Minnesota Attorney
General
445 Minnesota Street
NCL Tower, Suite 1100
St. Paul, MN 55101-2131

Lori A. Schechter
Morrison & Foerster, LLP
425 Market Street
San Francisco, CA 94105

D. Scott Wise
Davis, Polk & Wardwell
450 Lexington Avenue
New York, NY 10017

William S. Schneider
Attorney General Office
Deputy Attorney General
1455 Frazee Road
Suite 315
San Diego, CA 92186-5266

Joseph H. Young
Hogan & Hartson, LLP
111 South Calvert Street
Suite 1600
Baltimore, MD 21202

Michael Sennett
Bell, Boyd & Lloyd
70 West Madison Street
Suite 3300
Chicago, IL 60602

Thomas M. Sobol
Hagens Berman, LLP
225 Franklin Street
26th Floor
Boston, MA 02110

Robert R. Stauffer
Jenner & Block
One IBM Plaza, Suite 4400
Chicago, IL 60611